

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROSENDO BUENO,)	No.: 1:21-cv-01522-NONE-SAB (PC)
)	
Plaintiff,)	
)	<u>ORDER ADOPTING FINDINGS AND</u>
v.)	<u>RECOMMENDATIONS, AND DISMISSING</u>
)	<u>ACTION FOR FAILURE TO STATE A</u>
CHRISTIAN PFEIFFER, et al.,)	<u>COGNIZABLE CLAIM FOR RELIEF</u>
)	
Defendants.)	(Doc. No. 7)
)	
)	

Plaintiff Rosendo Bueno is appearing *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 29, 2021, the assigned magistrate judge issued findings and recommendations recommending that the instant action be dismissed for failure to state a cognizable claim for relief. (Doc. No. 7.) The findings and recommendations were served on plaintiff and contained notice that objections were to be filed within fourteen days. (*Id.* at 6.) Plaintiff filed objections on January 3, 2022. (Doc. No. 8.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, including plaintiff's objections, the court finds the findings and recommendations to be supported by the record and proper analysis. Plaintiff's objections do not meaningfully undermine the magistrate judge's conclusion that his claims


are barred by *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994), because a favorable ruling in this case would undermine a prison disciplinary determination that impacts plaintiff being awarded good time credits.

Accordingly,

1. The findings and recommendations issued on November 29, 2021, (Doc. No. 7), are adopted; and
2. This action is dismissed, without prejudice, due to plaintiff's failure to state a cognizable claim for relief.
3. The Clerk of the Court is directed to assign a district judge to this action for the purposes of closure and then to close this case.

IT IS SO ORDERED.

Dated: January 6, 2022


UNITED STATES DISTRICT JUDGE